. Application Number	Re		pplicant(s)/Patent under examination EHTA ET AL.			
Document Code - DISQ	Internal Document – DO NOT MAIL					
TERMINAL DISCLAIMER	⊠ APPROVED		☐ DISAPPROVED			
Date Filed : December 5, 2005	This patent is subject to a Terminal Disclaimer					
Approved/Disapproved by:						
Henry D. Jefferson						
	·					

U.S. Patent and Trademark Office

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	05-Dec-05	APPL. S. N:	10828625		
To Examiner:	GESESSE, TILAHUN	Art Unit	2684		
From	Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68		
SUBJECT: Decision on Te	rminal Disclaimer(T.D.) filed:				
form paragraphs identifie or have any questions, pl	eviewed the submitted T.D. with the d by this informal memo in your next ease see me or the Special Program LED TO APPLICANT OR (2) PLACED C	t Office action to notify applicant of Examiner. THIS IS AN INFORMAL,	f the T.D. If you disagree INTERNAL MEMO ONLY.		
please initial, date and re	turn this memo to me. THANK YOU.				
The T.D. is PROP	PER and has been recorded (see 14.2	23).			
The T.D. is NOT	PROPER and has not been accepted	for the reason(s) checked below (s	see 14.24):		
	fee of has not been submi	tted nor is there any authorization	in the application file for the		
his/her	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).				
	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).				
	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).				
The pe	The person who signed the T.D.:				
	is not an attorney "of record" (see	e 14.29 and 14.29.01).			
	has failed to state his/her capacity	y to sign for the business entity (se	ee 14.28).		
	is not recognized as an officer of t	he assignee (see 14.29 & possible	14.29.02).		
nor is t (see 37	No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).				
The T.	D. is not signed (see 14.26 & 14.26.0	03).			
	The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).				
	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).				
The pe	riod disclaimed is incorrect or not sp	ecified (see 14.26, 14.27.02 or 14.	26.03).		
☐ Other:			e Pa		
	stion to request refund (see 14.36). I not check this item.	NOTE: If already authorized, credit	refund to deposit account		
I have appropriately notifi	ed applicant(s) of the status of the T	Terminal Disclaimer filed in this cas	e.		
Ex.Initials:	Date:		Log Date:		



TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Applicant: Mehta et al.
Serial No.: 10/828,625
Filed: April 21, 2004

Group Art Unit: 2684 Examiner: T. Gesesse

Title: MULTIPLE ANTENNAS AT TRANSMITTERS AND RECEIVERS TO ACHIEVE HIGHER DIVERSITY AND DATA RATES IN MIMO

SYSTEMS

The owner, Mitsubishi Electric Research Laboratories, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/209,306, filed on July 31, 2002, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

[X] The undersigned is an attorney of record.

Respectfully submitted,

MITSUBISHI FLECTRIC RESEARCH LABORATORIES, INC.

Ву:

Dirk Brinkman

Reg. No.: 35,460 Attorney for Assignee

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